

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

THOMAS RYBURN,)
)
Plaintiff,)
)
v.) Civil No. 07-011-MJR
)
DARRELL WESTERMAN, and)
DAVID TINDALL,)
)
Defendants.)

ORDER

PROUD, Magistrate Judge:

Before the court is plaintiff's Motion for Discovery on Non-Parties or Defendants.

(Doc. 42).

Plaintiff asks the court to order non-parties IDOC, Menard Correctional Center, and Menard law library, Stateville Correctional Center, and Stateville's law library to produce various documents. The court cannot order a non-party to produce documents at a party's request. If plaintiff is unable to informally obtain the records he desires, he can utilize the procedures set forth in Fed. R. Civ. P. 45, that is, he can serve subpoenas, along with the appropriate fees, on these entities.¹

Plaintiff also asks the court to order defendants to produce certain documents. The court expresses no opinion at this point as to whether the requested documents are discoverable. Plaintiff should simply serve requests to produce the documents on defendants, without filing the requests with the court. If defendants object to producing any of the documents, plaintiff may file a motion to compel with the court. Any such motion to compel should be accompanied by

¹Mr. Ryburn is familiar with these procedures, as they have previously been explained to him in *Ryburn v. Feinerman, et al*, 00-593-GPM.

copies of the requests to produce and the objections.

Upon consideration and for good cause shown, plaintiff's Motion for Discovery on Non-Parties or Defendants (**Doc. 42**) is **DENIED**.

IT IS SO ORDERED.

DATED: November 20, 2008.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE